



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DIRECTV, INC.,

*Plaintiff,*

v.

TINA BRANDON,

*Defendant.*

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CIVIL ACTION NO. 1:03-CV-853 (TH)

**DEFAULT JUDGMENT**

Before the Court is *Plaintiff's Motion for Entry of Default Judgment and Default Judgment Against Defendant Tina Brandon* [Clerk's Docket No. 4] filed May 4, 2005. Having considered the motion, the Court is of the opinion that the motion should be partially granted.

**I. BACKGROUND**

On September 12, 2003, plaintiff DirecTV sued Tina Brandon for unlawful reception of satellite programming in violation of federal and state law. Summons issued that same day. On January 16, 2004, proof of service was filed with the clerk of court, triggering the defendant's duty to answer or otherwise defend. To date, defendant Tina Brandon has not filed an answer, responsive pleading or otherwise defended. On May 4, 2005, plaintiff DirecTV requested entry of default by the clerk, which was entered of record on May 9, 2005. That same day, plaintiff DirecTV moved for entry of default judgment.

**II. FINDINGS**

The Court **FINDS** that defendant Tina Brandon was personally served with summons and the complaint on October 3, 2003.

The Court **FURTHER FINDS** that defendant Tina Brandon has not answered or otherwise manifested intent to defend this action.

The Court **FURTHER FINDS** that defendant Tina Brandon is not an infant, incompetent person or member of the United States military.

The Court **FURTHER FINDS** that the clerk of court entered default of record.

### III. ORDER


**IT IS THEREFORE ORDERED** that *Plaintiff's Motion for Entry of Default Judgment and Default Judgment Against Defendant Tina Brandon* [Clerk's Docket No. 4] is **GRANTED IN PART**.

**IT IS FURTHER ORDERED** that the Court **RENDERS** default judgment against defendant Tina Brandon and in favor of plaintiff DirecTV on all issues of liability.

**IT IS FURTHER ORDERED** that the clerk of court is **DIRECTED** to forward a copy of this judgment to Tina Brandon, 1521 N. 37<sup>th</sup> Street, No. 280, Orange, Texas, 77630.

**SO ORDERED.**

**SIGNED** this the 28 day of **July, 2005**.

  
Thad Heartfield  
United States District Judge